



S002340%\$%2004

2002, 2003, 2004

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: MERRILL J BATES; MARY LOU BATES; DANIEL M BATES; DEBBIE JO BATES;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

MERRILL J BATES

RT 4 BOX 214

PORTERVILLE, CA 93257

STATEMENT NO.: S002340  
CONTACT PHONE NO.: (805)548-6561

Source Name: DEER CREEK

Tributary To: TULARE LAKE BASIN

County: Tulare

Diversion Within: NE1/4 of NW1/4 Section 01, T24S, R30E, MB&M

Year of First Use: 1890

Parcel Number: 325-210-057

A. **Water Is Used Under:** Riparian claim ☒ Pre-1914 right ☒ Other (explain): \_\_\_\_\_

B. **Year of First Use:** (Please provide if missing above) \_\_\_\_\_

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below. \* - See Reverse

Amounts below are in: Gallons				Million Gallons (MG)			Acre-feet (AF)			Other <sup>Cubic Feet per Second</sup>			Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2002	L	L	L	L	L	L	L	L	L	L	L	L	unknown
2003	L	L	L	L	L	L	L	L	L	L	L	L	unknown
2004	L	L	L	L	L	L	L	L	L	L	L	L	unknown

D. **Purpose of Use** - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Apx 100 AC acres; Stockwatering 165 + Head; Domestic yard water;

Other (specify) Hydroelectric Power Generation & Fish Raising

E. **Changes in Method of Diversion** - Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☒  
Describe any water conservation efforts you have initiated: \_\_\_\_\_

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ☐ NO ☒
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ☐ NO ☐

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ☐ NO ☒
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ☐ NO ☐

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6-28-, 2005 at Calif. Hot Springs, Tubane County, California

SIGNATURE: Daniel M. Bates

PRINTED NAME: Daniel M. Bates M. Bates  
(first name) (middle initial) (last name)

COMPANY NAME: Bates Ranch - "Deer Creek Hydro"

If there is insufficient space for your answers, please use the space provided below.

ITEM

CONTINUATION

C  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

We use up to 21 CFS of water if it is available for Hydroelectricity  
on dry years we use 100% of the creek at  
our diversion for Irrigation, Stock water, yard water  
& Fish habitat in our pond.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



S002340%S%2001

1999, 2000, 2001

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by July 1, 2002.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: MERRILL J BATES

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

MERRILL J BATES

RT 4 BOX 214

PORTERVILLE, CA 93257

STATEMENT NO.: S002340

CONTACT PHONE NO.: (805)548-6561

FOR ONLINE REPORTING AT  
[www.waterrights.ca.gov](http://www.waterrights.ca.gov)

USER NAME: S002340

PASSWORD: C12607

Source Name: DEER CREEK

Tributary To: TULARE LAKE BASIN

County: Tulare

Diversion Within: NE1/4 of NW1/4 Section 01, T24S, R30E, MB&M

Year of First Use: 1890

Parcel Number: 325-210-057

A. Water is used under: Riparian claim ☒ Pre 1914 right ☒ Other (explain): \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are:													Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
1999	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	unknown
2000	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	unknown
2001	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	unknown

See  
\*  
Below

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Apx. 100 Acres acres; Stockwatering 165+ Head; Domestic yard watering

Other (specify) Hydroelectric Power Generation, & Raising Fish

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☒  
Describe any water conservation efforts you have initiated: \_\_\_\_\_

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

Reductions in consumptive use:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO ☒.
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO ☒.
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6-30-02, 2002 at Calif. Hot Springs, Tulare County, California

SIGNATURE: Mary Lou Bates

PRINTED NAME: Mary Lou (first name) Bates (last name)

COMPANY NAME: Bates Ranch - Deer Creek Hydro

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

\* C. On dry years we use 100% of the creek remaining at our diversion for irrigation, yard water, stock water, & Fish habitat in our pond. For hydroelectric generation we use up to 21 CFS if that amount is available.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

File

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
(916) 657-2170

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999

**OWNER OF RECORD:** MERRILL J BATES, MARY LOU BATES, DANIEL M BATES, DEBBIE JO  
ATES

MERRILL J BATES  
RT 4 BOX 214  
PORTERVILLE, CA 93257

**STATEMENT NO:** S002340

**SOURCE:** DEER CREEK  
**TRIBUTARY TO:** TULARE LAKE BASIN  
**COUNTY:** TULARE  
**DIVERSION**

**WITHIN:** NE¼ OF NW¼ SECTION 1, T24S, R30E, MB&M.

**TELEPHONE NUMBER:**

(805) 548-6561

**YEAR OF FIRST USE:** 1890

**PARCEL NO:**

A. Water is used under: Riparian claim ☒ Pre 1914 right ☒ Other (explain): \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons \_\_\_\_\_ Acre-feet \_\_\_\_\_ Other ☒ = Cubic Feet per Second ☒ See Below

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	unknown
1997	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	unknown
1998	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	unknown

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Appx 100 Acres; Stockwatering 165 ± Head Cattle Domestic ☒ yard watering

Other (specify) Hydroelectric power generation, & Raising fish

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. **Conservation of water**

a. Describe any water conservation efforts you may have started: \_\_\_\_\_

b. \_\_\_\_\_

c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

2. **Water quality and wastewater reclamation**

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO \_\_\_\_\_

\* ON Dry years we use 100% of the Creek at our diversion for irrigation, stock water, yard water & fish habitat. For hydroelectric generation we use up to 51 CFS. if it is AVAILABLE.

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
(916) 657-2170

- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO ☒

- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 3-15 19 99 at California Hot Springs, Tulare County, California

SIGNATURE: Daniel M. Bates

PRINTED NAME: Daniel M. Bates  
(first name) (middle init.) (last name)

COMPANY NAME: Bates Ranch - Deer Creek Hydro

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

C On Dry years we use 100% of the creek remaining at  
our diversion for irrigation, yard water, stockwater  
& fish habitat in our pond. For Hydroelectric Generation we  
use up to 21 CFS if that amount is available

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

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## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.**

**OWNER OF RECORD:** MERRILL J BATES, MARY LOU BATES, DANIEL M BATES, DEBBIE JO BATES

MERRILL J BATES  
P O BOX 6  
CALIFORNIA HOT SPRINGS, CA 93207

**STATEMENT NO:** S002340

**SOURCE:** DEER CREEK  
**TRIBUTARY TO:** TULARE LAKE BASIN  
**COUNTY:** TULARE  
**DIVERSION**

**TELEPHONE NUMBER:**  
(805) 548-6210

**YEAR OF FIRST USE:** 1890

**PARCEL NO:** 1) 325-210-057

**WITHIN:** NE¼ OF NW¼ SECTION 1, T24S, R30E, MB&M.  
A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (explain) 2) 344-120-01-000-50

B. Year of first use (Please provide if missing above) 3) 344-190-04-000-50

4) 344-120-08-000-50

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☒ (Other) Cubic Feet Per Second  
ON Dry years we use 100% of the creek at our Diversion for Irrigation & Stockwatering & yard water.  
For Hydroelectric Generation we use up to 51 CFS if that amount of water is available. TOTAL

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	ANNUAL
1993	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	unknown
1994	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	unknown
1995	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	unknown

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Approx 100+ acres; Stockwatering 165 ± cattle; Domestic yard watering  
Other (specify) Hydroelectric Power Generation

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NONE

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

NONE

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6-13, 19 96, at Calif Hot Springs, California

SIGNATURE: Daniel M. Bates

PRINTED NAME: Daniel (FIRST NAME) Merrill (M. NAME) Bates (LAST NAME)

COMPANY NAME: Bates Ranch - Deer Creek Hydro

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

[illegible]

There are two principal types of surface water rights in California, riparian and appropriative rights.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available, including the following:

- WR 40-1 (4/96)  
FOR0127A



STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 002340

MERRILL J BATES  
ROUTE 4, BOX 214  
PORTERVILLE, CA 93257

TELEPHONE NUMBER:  
(805) 348-6561

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: DEER CREEK

TRIBUTARY TO: TULARE LAKE BASIN

COUNTY: TULARE

YEAR OF FIRST USE: 1890

DIVERSION

WITHIN: NE1/4 OF NW1/4 SECTION 01, T24S, R30E, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

- Both*
- A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☒ (other) unknown

*On dry years we use 100% of the Creek at Our Diversion for irrigation. For Hydroelectric Generation we use up to 21 CFS. If that amount of water is available after meeting by pass requirements.*

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991													<i>unknown</i>
1992													<i>unknown</i>
1993													<i>unknown</i>

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation Approx 100+ acres; Stockwatering 165 Head Cattle; Domestic Water for Yards & Garden  
Other (specify) & Hydroelectric Power Plant

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NO changes

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 4-5, 19 94, at Calif. Hot Springs, California

Signature: Merrill J. Bates

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
901 P ST. SACRAMENTO, CA 95814  
(916) 322-4503

(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE 23

DIVERTER OF RECORD:

MERRILL J BATES  
ROUTE 4, BOX 214  
PORTERVILLE, CA 93257

DIV. OF WATER RIGHTS  
STATEMENT NO: 002340

TELEPHONE NUMBER:  
(805) 548-6561

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: DEER CREEK

TRIBUTARY TO: TULARE LAKE BASIN

COUNTY: TULARE

DIVERSION

WITHIN: NE1/4 OF NW1/4 SECTION 01, T24S, R30E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts below are: ☐ Gallons ☐ Acre-feet ☒ unknown <sup>up to 21 CFS</sup> (other)
- In dry years we use all of the creek @ DIVERSION for irrigation. For hydroelectric generation we use up to 21 CFS. If that amount of water is available after meeting in stream bypass amounts.* See Note
- |  | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Total Annual |
|--|------|------|------|------|-----|------|------|------|-------|------|------|------|--------------|
|--|------|------|------|------|-----|------|------|------|-------|------|------|------|--------------|

1988													unknown
1989													unknown
1990													unknown

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Approximately 100+ Acres of permanent pasture

Stockwatering 165 head cattle

Domestic water for yards & garden

Other (specify) in Nov 1987 we started up a 400kw hydroelectric generator. We have discontinued using the small generator for Ranch use

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

We poured a new concrete Reinforcement at our DIVERSION, Lowered the intake pipe & Poured a new Headwall around it.

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 3-29, 1991, at Calif. Hot Springs, California

Signature: Merrill J Bates

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810  
901 P ST. SACRAMENTO, CA  
(916) 322-4503

ST 916 322-4503

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1988 JUN 13 PM 1:26

DIVERTER OF RECORD:

MERRILL J BATES  
ROUTE 4, BOX 214  
PORTERVILLE, CA 93257

DIV. OF WATER RIGHTS  
SACRAMENTO

STATEMENT NO: 002340

TELEPHONE NUMBER:  
(805) 548-6561

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: DEER CREEK

TRIBUTARY TO: TULARE LAKE BASIN

COUNTY: TULARE

DIVERSION

WITHIN: NE1/4 OF NW1/4 SECTION 01, T24S, R30E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1988. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used. Amounts below are: ☐ Gallons ☐ Acre-feet ☒ unknown (other)
- all of creek at point of diversion except on wet years

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1985													<u>unknown</u>
1986													<u>unknown</u>
1987													<u>unknown</u>

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation about 100+ Acres of permanent pasture

Stockwatering 165 head cattle

Domestic water for yards

Other (specify) Hydroelectric generator for use on the Ranch.

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

we have enclosed the open ditch with pipe from the diversionary point &  
have temporarily reinforced the diversionary structure until  
more permanent reinforcement can be accomplished.

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/7, 19 88, at California Hot Springs, California

Signature: Merrill J. Bates

JUN 14 1988 KSN

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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5-2340  
12/18/95  
\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S002340

OWNER OF RECORD: MERRILL J BATES, Mary Lou Bates  
Daniel M. Bates & Debbie Jo Bates

MERRILL J BATES

P O BOX 6

CALIFORNIA HOT SPRINGS, CA 93207

STATE WATER CONTROL BOARD  
DIV. OF WATER RIGHTS  
SACRAMENTO  
1995 MAY 18 PM 3:07

SOURCE: DEER CREEK

TRIBUTARY TO: TULARE LAKE BASIN

COUNTY: TULARE

DIVERSION

WITHIN: NE¼ OF NW¼ SECTION 1, T24S, R30E, MDB&M.

TELEPHONE NUMBER:

(805) 548-6210 OR (805) 548-6561

YEAR OF FIRST USE: 1890

PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☒ (other) Cubic Feet per Second  
On dry years we use 100% of the creek at our diversion for irrigation & stock  
For Hydroelectric Generation we use up to 21 CFS if that amount of water is available  
JAN. FEB. MAR. APR. MAY JUNE JULY AUG. SEPT. OCT. NOV. DEC. TOTAL ANNUAL

1992	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	unknown
1993	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	unknown
1994	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	unknown

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Approx 100 Acres acres; Stockwatering ☒ 165<sup>+</sup> Head Cattle; Domestic ☒ yard watering

Other (specify) Hydroelectric power generation

\*\*\* CONTINUE ON BACK PAGE \*\*\*

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NONE

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 5 - 11, 1995, at Calif. Hot Springs, California

SIGNATURE: Daniel M. Bates

PRINTED NAME: Daniel Merrill Bates  
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: Bates Ranch - Deer Creek Hydro

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STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000  
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE  
INFORMATION SHEET

STATEMENT NO. S002340

DIVERSION SITE:

OWNER'S NAME Lewis S. Bressler  
(FIRST) (MIDDLE) (LAST)

PARCEL NO. 344-120-010

PLACE OF USE:

OWNER'S NAME Merrill J. Bates  
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. 325-210-057
2. PARCEL NO. 344-120-01-000-50
3. PARCEL NO. 344-190-04-000-50
4. ~~PARCEL NO. 344-120-08-000-50~~

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL  
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER Merrill J. Bates & Daniel M. Bates  
NAME Merrill J. Bates  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS Rt 4 Box 214  
Porterville, CA 93257  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (805) 548 - 6561

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME Daniel Merrill Bates  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS P.O. Box 6  
Calif. Hot Springs CA 93207  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (805) 548 - 6561 wk  
(805) 548 - 6210 Home

2. NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR  
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL  
INFORMATION BOX.

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

S2340

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water Merrill J. Bates  
Address Rt. 4 Box 214 Porterville, Calif. 93257

B. Name of water at point of diversion Deer Creek  
Tributary to Tulare Lake Basin

C. Place of diversion NE 1/4 NW 1/4 Section 1, Township 24, Range 30E, MD San  
Tulare County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works None (already taken out)

E. Capacity of diversion works unknown - all of creek at diversion Measurement made  
Capacity of redistribution reservoirs 25 acres During 3 years  
State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc. about 100 acres permanent pasture  
250 head cattle

Maximum annual water use in recent years all of creek at point of diversion gallons  
Minimum annual water use in recent years unknown acre-feet  
Type of diversion facility: gravity ☒, pump ☐  
Method of measurement: weir ☐, flume ☐, electric power meter ☐, water meter ☐, estimate ☐

F. Purpose of use (what water is being used for) pasture, cattle, yard

G. General description or location of place of use (use sketch of section grid on reverse side if you desire) SE 1/4 T23S, Range 30E and NW 1/4 Sec. 1, T24S, Range 30E

H. Year of first use as nearly as known 1890

I. Name of person filing statement Merrill J. Bates  
Position owner Organization \_\_\_\_\_  
Address Rt 4 Box 214 Porterville, CA 93257

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed June 29, 1967 Signature Merrill J. Bates

See Instructions on Reverse Side